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US Dept. of Commerce Pat. & Trademark Office

Attorney's Docket No.

23136

#4

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 USC 371

US. Application No. (if known)

10/516521

INTERNATIONAL APP. NO.

PCT/EP03/05710

INTERNATIONAL FILING DATE

30 May 2003

PRIORITY DATE CLAIMED

31 May 2002

TITLE OF INVENTION

DIAGNOSTIC AGENT AND METHOD FOR DETECTION OF CANCER AND A MEANS FOR
TREATMENT OF SAME

APPLICANT(S) FOR DO/EO/US

Jürgen DOLDERER

Applicant herewith submits to the United States Designated/Elected Office (DO/EU/US) the following .

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. ☐ This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 317(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 USC 371(c)(2)).
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau.
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Patent Office.
6. ☐ A translation of the International application into English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau.
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3).
9. ☒ An oath or declaration of the inventor(s) (35 USC 371(c)(4).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).

Items 11. to 16. below concern documents or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An Assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
 ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items of information.

05/24/2005 SNAJARRO 00000031 10516521

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Form PTO-1390 Page 2 of 2

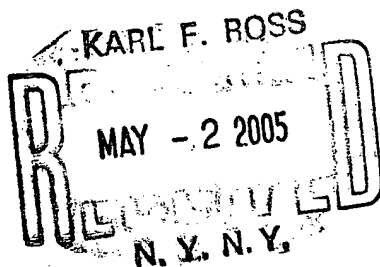


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,521	Jurgen Dolderer	23136

The Firm of Karl F Ross
 5676 Riverdale Ave
 Box 900
 Riverdale (Bronx), NY 10471



INTERNATIONAL APPLICATION NO.	
PCT/EP03/05710	
I.A. FILING DATE	PRIORITY DATE
05/30/2003	05/31/2002

CONFIRMATION NO. 4497
 371 FORMALITIES LETTER



OC000000015874587

Date Mailed: 04/27/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 11/30/2004
- English Translation of the IA filed on 11/30/2004
- Copy of the International Search Report filed on 11/30/2004
- Copy of Annexes to the IPER filed on 11/30/2004
- Small Entity Statement filed on 11/30/2004
- U.S. Basic National Fees filed on 11/30/2004
- Priority Documents filed on 11/30/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Additionally the following defects have been observed:

- Annexes have not been entered because NOT PAGE FOR PAGE.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,521	PCT/EP03/05710	23136

23136

**CERTIFICATE OF EXAMINATION
FIRST CLASS MAIL**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail or as Express Mail if the number of the Express Mail mailing label is provided below, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on **MAY - 2 2005**

(Date of Deposit)

EV467340832
Express Mail Label Number

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor **Jürgen DOLDERER**
Patent App. **10/516,521 (US Nat'l phase of PCT/EP03/05710)**
Filed **30 November 2004**
For **DIAGNOSTIC AGENT AND METHOD FOR DETECTION OF
CANCER AND A MEANS FOR TREATMENT OF SAME**

Hon. Commissioner of Patents
Box 1450 Alexandria, VA 22313-1450

RECORD OF TRANSMITTAL--PCT APPLICATION

- ☒ PCT Transmittal
- ☐ PCT Application
- ☐ Translation
- ☐ Sheets of Drawing (0)
- ☒ PCT Declaration
- ☐ PCT Documents
- ☐ International Search Report
- ☒ Preliminary Amendment
- ☐ Assignment
- ☒ PTO-2038 for Official Fees

☒ Late filing

\$65.00

Total

\$65.00

Please charge any fees not covered by an enclosed PTO-2038 to account 18-2025 of the undersigned.

2 May 2005

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rg

Respectfully submitted,
The Firm of Karl F. Ross P.C.


Herbert Dubno, Reg. 19,752